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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

FELICIA FAYE BLAKLEY,

Defendant and Appellant.

D070799

(Super. Ct. No. SCD248396)

APPEAL from a judgment of the Superior Court of San Diego County, Jeffrey F. Fraser, Judge. Affirmed.

Conrad Petermann, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

This appeal is from a judgment following revocation of probation. The appellant admitted the probation violation and appeals following the court's refusal to reinstate

probation. Appellant did not obtain a certificate of probable cause. (Pen. Code,<sup>1</sup> § 1237.5.)

Felicia Faye Blakley pleaded guilty to one count of sale of a controlled substance (Health & Saf. Code, § 11352, subd. (a)). The remaining charges and allegations were dismissed as part of the plea agreement. Blakley was ultimately placed on probation in this case and probation was reinstated in another case.

In a series of probation revocation proceedings which followed, Blakley's probation was revoked and reinstated several times. At one point Blakley was found to be not competent to stand trial, criminal proceedings were suspended, and she was committed to a state hospital (§ 1368). Later, her competency was restored and criminal proceedings were reinstated.

Ultimately Blakley admitted the most recent probation violation. The court declined to reinstate probation and committed Blakley to custody for three years, subject to 880 days of credits.

Blakley filed a timely notice of appeal.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) indicating he has not been able to identify an arguable issue for reversal on appeal. Counsel asks this court to review the record for error as mandated by *Wende*. We offered Blakley the opportunity to file her own brief on appeal but she has not responded.

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<sup>1</sup> All further statutory references are to the Penal Code unless otherwise specified.

## STATEMENT OF FACTS

On May 29, 2013, Blakley sold a small quantity of rock cocaine to an undercover police officer. When she was arrested she had one of the marked bills in her possession that she had been given by the undercover officer.

At the probation revocation proceeding Blakley admitted the violations alleged by the probation officer.

## DISCUSSION

As we have noted, appellate counsel has not identified any arguable issues for reversal on appeal. Consistent with the mandate of *Anders v. California* (1967) 386 U.S. 738 (*Anders*), counsel has identified several possible issues for our consideration in reviewing the record for error. The possible issues are:

1. Whether Blakley's absence at the hearing where the court found her competent to stand trial violated her Sixth Amendment rights;
2. Whether trial counsel was ineffective for failing to object to Blakley's absence at the hearing where the court found her competent to stand trial;
3. Whether Blakley's waiver of her right to an evidentiary hearing on revocation of her probation complied with due process;
4. Whether the court abused its discretion in declining to again reinstate probation.

We have reviewed the entire record on appeal. We have not identified any reasonably arguable issue for reversal on appeal. Competent counsel has represented Blakley on this appeal.

DISPOSITION

The judgment is affirmed.

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HUFFMAN, Acting P. J.

WE CONCUR:

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HALLER, J.

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O'ROURKE, J.